

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ROGER GODWIN,

Plaintiff,

v.

ORDER

05-cv-493-bbc

WAUPON CORRECTIONAL INSTITUTION  
OFFICIALS, JACKSON CORRECTIONAL  
INSTITUTION OFFICIALS, REDGRANITE  
CORRECTIONAL INSTITUTION OFFICIALS,  
DEPARTMENT OF CORRECTIONS SECRETARY,

Defendants.

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ROGER GODWIN,

Plaintiff,

v.

06-cv-489-bbc

WAUPON CORRECTIONAL INSTITUTION  
OFFICIALS, JACKSON CORRECTIONAL  
INSTITUTION OFFICIALS, REDGRANITE  
CORRECTIONAL INSTITUTION OFFICIALS,  
DEPARTMENT OF CORRECTIONS SECRETARY,

Defendants.

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ROGER GODWIN,

Plaintiff,

v.

07-cv-208-bbc

WAUPON CORRECTIONAL INSTITUTION  
OFFICIALS, JACKSON CORRECTIONAL  
INSTITUTION OFFICIALS, REDGRANITE  
CORRECTIONAL INSTITUTION OFFICIALS,  
DEPARTMENT OF CORRECTIONS SECRETARY,

Defendants.

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Plaintiff Roger Godwin has filed a motion to modify or temporarily suspend the current filing fee obligations in these cases under 28 U.S.C. § 1915(b)(2). Plaintiff states that because of budget cuts, he no longer holds a prison job and he requests that the court issue an order either to leave at least \$50 a month in his inmate account or to temporarily suspend his filing fee obligations until his release from prison. Plaintiff also requests modification or suspension of payment of the filing fee in case 04-cv-350, which was filed in the Eastern District of Wisconsin. Since case 04-cv-350 is not a case in this court, this order does not address that case.

Because plaintiff has more than one case, the institution is taking 20% of his income for each case. As a result, the amount owed increases for each case filed. Newlin v. Helman,

123 F.3d 429, 436 (7th Cir. 1997), rev'd on other grounds by Lee v. Clinton, 209 F.3d 1025 (7th Cir. 2000) and Walker v. O'Brien, 216 F.3d 626 (7th Cir. 2000). At the present time, plaintiff is required to pay 80% of his monthly income until the remaining balances for each of his cases are paid in full. Defendant's motion must be denied because the statute governing the collection of fees in his case, 28 U.S.C. § 1915(b)(2) does not permit me to modify or suspend any part of the plaintiff's income from withholding.

ORDER

IT IS ORDERED that plaintiff Roger Godwin's motion to modify or suspend payment of his filing fees is DENIED.

Entered this 6th day of October, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge